

644 3738



## AMENDMENT TRANSMITTAL LETTER FEB 14 2001

ATTORNEY'S DOCKET NO.:

47168-00035USC1

SERIAL NUMBER:  
09/237,605

FILING DATE:

January 25, 1999

EXAMINER:

Paul Prebilic

GROUP ART UNIT:  
3738

INVENTION: CONTAINER WITH CRACK-RESISTANT RIM

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INVENTOR(S): RICHARD J. LAZZARA, THOMAS S. HEYLMUN, KEITH D. BEATY

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

## CLAIMS AS AMENDED

(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS 10	10	MINUS	10	0	X \$18	\$ 0
INDEP. CLAIMS 2	2	MINUS	2	0	X 80	\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

\* If the entry in column 2 is less than the entry in column 4, write "0" in column 5.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

No additional fee is required.

Charge \$ \_\_\_\_\_ to Deposit Account No. \_\_\_\_\_. A triplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution (except for payment of the Issue Fee) of this application without specific authorization, or credit any overpayment to Deposit Account No. 10-0447 (Order No. 47168-0035USC1).

The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136 and a check in the amount of \$110.00 is enclosed.

February 9, 2001

Date

Signature

Harold N. Wells, Registration No. 26,044

Patent Agent, Reg. Number

JENKENS &amp; GILCHRIST

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202-2799

312.425.3900

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 2/9/01.

February 9, 2001

(Date)

Deborah Ricks

(Printed)

(Signature)



2-2  
23/F  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard J. Lazzara  
Thomas S. Heylmun  
Keith D. Beatty

Application No. 09/237,605

Filed: January 25, 1999

For: Infection-Blocking Dental Implant

) Attorney Docket No. 47168-00035USC1

) Examiner: Paul Prebilic

) Group Art Unit: 3738

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on February 9, 2001.

2/9/01  
Date

*Deborah Bicks*  
Signature

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: Box Non-Fee Amendments

Dear Sir:

In response to the Office Action of December 20, 2000, entry of the following amendments is requested:

In the specification:

At page 4, line 21, after the paragraph ending with "may be left smooth", please insert the following:

"The native oxide layer that forms naturally on titanium when it is exposed to air is actually a combination of different oxides of titanium, including  $TiO$ ,  $TiO_2$ ,  $Ti_2O_3$  and  $Ti_3O_4$ . The concentration of these oxides in the titanium body diminishes with distance from the surface of the body. The oxide concentration may be measured in an Auger spectrometer.

Auger electron spectroscopy (AES) measures the energy of Auger electrons produced when an excited atom relaxes by a radiationless process after ionization by a

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